


Jan. 14, 2016). As such, Movant's motion is timely if he delivered the reply on or before February 6, 2020.

Upon review of Movant's motion, the Court finds that there is evidence suggesting that his reply was timely under the prison mailbox rule. In his certificate of service, Movant certifies that he sent the reply on February 3, 2020. (Doc. 43 at 7). Further, the envelope attached to the motion is stamped with the date February 6, 2020. (*Id.* at 8). Based on this, the Court finds that Movant's motion was delivered to prison authorities on or before the February 6, 2020 deadline. The Court will therefore vacate its previous order so it can consider the arguments raised in Movant's reply.

IT IS HEREBY ORDERED that the order entered February 18, 2020 (Doc. 42) is **VACATED**.

Dated this 26th day of February, 2020.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE